



UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE: TERRORIST ATTACKS ON )  
SEPTEMBER 11, 2001 ) Civil Action No. 03 MDL 1570 (RCC)

### **ORDER OF DISMISSAL**

**WHEREAS**, on January 18, 2005, the Court entered an Order relating to *Ashton v. Al Qaeda Islamic Army*, 02 CV 6977;<sup>1</sup> *Burnett v. Al Baraka Investment & Development*, 03-CV-5738; *Burnett v. Al Baraka Investment & Development*, 03-CV-9849; *Federal Insurance Co. v. Al Qaida*, 03-CV-6978; *Salvo v. Al Qaeda Army*, 03-CV -5071; *Tremsky v. Osama Bin Laden*, 02-CV-7300; and *Vigilant Insurance Co. v. Kingdom of Saudi Arabia*, 03-CV-8591 (together the "First Order Cases"); and

**WHEREAS**, the Court's January 18, 2005 Order dismissed, among others, the following five defendants named in the First Order Cases on grounds of FSIA immunity, and/or lack of personal jurisdiction, or failure to state a claim in the following cases:

1. Kingdom of Saudi Arabia

*Federal Insurance Co. v. Al Qaida*, 03 CV 6978  
*Vigilant Insurance Co. v. Kingdom of Saudi Arabia*, 03-CV-8591

2. HRH Prince Sultan bin Abdulaziz Al-Saud

*Ashton v. Al Qaeda Islamic Army*, 02-CV-6977  
*Barrera v. Qaeda Islamic Army*, 03-CV-7036  
*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738  
*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849  
*Federal Insurance Co. v. Al Qaida*, 03-CV-6978  
*Salvo v. Al Qaeda Islamic Army*, 03 CV 5071

<sup>1</sup> *Ashton* includes the following complaints which were consolidated by the Court: *Barrera v. Qaeda Islamic Army*, 03-CV-7036; *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236; *Beyer v. Al Qaeda*, 02-CV-6978; *Burlingame v. Osama Bin Laden*, 02-CV-7230; *Mayore Estates, LLC v. Al Qaeda Islamic Army*, 02-CV-7214; *Schneider v. Al Qaeda Islamic Army*, 02-CV-7209.

*Tremsky v. Osama Bin Laden*, 02 CV 7300

3. HRH Prince Turki Al Faisal

*Ashton v. Al Qaeda Islamic Army*, 02-CV-6977  
*Barrera v. Qaeda Islamic Army*, 03-CV-7036  
*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738  
*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849  
*Federal Insurance Co. v. Al Qaida*, 03-CV-6978  
*Salvo v. Al Qaeda Islamic Army*, 03-CV-5071  
*Tremsky v. Osama Bin Laden*, 02-CV-7300

4. HRH Prince Mohamed Al Faisal

*Ashton v. Al Qaeda Islamic Army*, 02-CV-6977  
*Federal Insurance Co. v. Al Qaida*, 03-CV-6978

5. Al Rajhi Banking & Investment Corporation

*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849

(together the "Defendants") and;

**WHEREAS**, the Defendants are also named in the following additional actions consolidated before the Court:

1. Kingdom of Saudi Arabia

*Cantor Fitzgerald Associates v. Akida Investment Co.*, 04-CV-7065  
*Morrison v. Kingdom of Saudi Arabia*, 04-CV-7210  
*New York Marine & General Insurance Co. v. Al Qaida*, 04-CV-6105  
*O'Neill v. Kingdom of Saudi Arabia*, 04-CV-1922<sup>2</sup>  
*Pacific Employers Insurance Co. v. Kingdom of Saudi Arabia*, 04-CV-7216

2. HRH Prince Sultan bin Abdulaziz Al Saud

*Cantor Fitzgerald Associates v. Akida Investment Co.*, 04-CV-7065  
*Continental Casualty Co. v. Al Qaeda Islamic Army*, 04-CV-5970  
*Euro Brokers, Inc. v. Al Baraka Investment & Development Corp.*, 04-CV-7279  
*New York Marine & General Insurance Co. v. Al Qaida*, 04-CV-6105  
*World Trade Center Properties v. Al Baraka Investment & Development Corp.*,  
04-CV-7280

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<sup>2</sup> *O'Neill* names a number of "Agencies and Instrumentalities of the Kingdom of Saudi Arabia" as defendants. The parties agree that this stipulated order of dismissal extends to these named agencies and instrumentalities.

3. HRH Prince Turki Al Faisal

*Cantor Fitzgerald Associates v. Akida Investment Co.*, 04-CV-7065  
*Continental Casualty Co. v. Al Qaeda Islamic Army*, 04-CV-5970  
*Euro Brokers, Inc. v. Al Baraka Investment & Development Corp.*, 04-CV-7279  
*New York Marine and General Insurance Co. v. Al Qaida*, 04-CV-6105  
*World Trade Center Properties v. Al Baraka Investment & Development Corp.*,  
04-CV-7280

4. HRH Prince Mohamed Al Faisal

*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849  
*Cantor Fitzgerald Associates v. Akida Investment Co.*, 04-CV-7065  
*Continental Casualty Co. v. Al Qaeda Islamic Army*, 04-CV-5970  
*Euro Brokers, Inc. v. Al Baraka Investment & Development Corp.*, 04-CV-7279  
*O'Neill v. Al Baraka Investment & Development Corp.*, 04-CV-1923  
*Salvo v. Al Qaeda Islamic Army*, 03-CV-5071  
*Tremsky v. Osama Bin Laden*, 02-CV-7300  
*World Trade Center Properties v. Al Baraka Investment & Development Corp.*,  
04-CV-7280

5. Al Rajhi Banking & Investment Corporation

*Ashton v. Al Qaeda Islamic Army*, 02-CV-6977  
*Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738  
*Cantor Fitzgerald Associates v. Akida Investment Co.*, 04-CV-7065  
*Continental Casualty Co. v. Al Qaeda Islamic Army*, 04-CV-5970  
*Euro Brokers, Inc. v. Al Baraka Investment & Development Corp.*, 04-CV-7279  
*Federal Insurance Co. v. Al Qaida*, 03-CV-6978  
*New York Marine & General Insurance Co. v. Al Qaida*, 04-CV-6105  
*O'Neill v. Al Baraka Investment & Development Corp.*, 04-CV-1923  
*Salvo v. Al Qaeda Islamic Army*, 03-CV-5071  
*Tremsky v. Osama Bin Laden*, 02-CV-7300  
*World Trade Center Properties v. Al Baraka Investment & Development Corp.*,  
04-CV-7280

and;

*the parties agree and*

WHEREAS, the Court finds that the allegations and evidence presented against these Defendants in the cases still pending against them do not materially differ from the allegations and evidence presented in the cases already dismissed; it is therefore

ORDERED this 5<sup>th</sup> day of May, 2005 that, for the reasons stated in the Court's January 18, 2005 Order, the Kingdom of Saudi Arabia, HRH Prince Sultan

bin Abdulaziz Al-Saud, HRH Prince Turki Al-Faisal, HRH Prince Mohamed Al-Faisal, and Al Rajhi Banking & Investment Corporation are **DISMISSED** from all remaining cases consolidated before this Court under docket number 03 MDL 1570.

A handwritten signature in black ink, appearing to read "Richard C. Casey", is written over a horizontal line.

Richard C. Casey  
United States District Judge

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